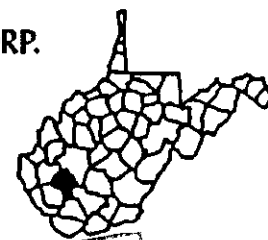


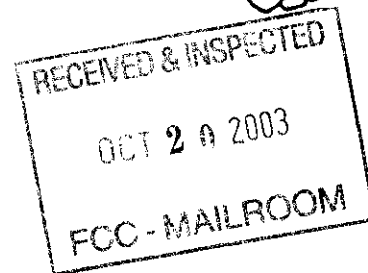


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IN PARTNERSHIP WITH THE BOONE COUNTY COMMISSION



October 15, 2003

ORIGINAL



Marlene Dortch, Secretary
Federal Communications Commission
445 Twelfth St. Room TW A-325
Washington DC 20554

Re: Ex Parte Notice- WT Docket No. 02-55
Improving Public Safety Communications in the 800 MHz Band

To the Secretary:

Thank you for considering the views expressed below about the problem of interference in the 800 megahertz (MHz) band experienced by some public service agencies.

The problem of public safety interference is limited to a very small percentage of agencies in a few populous urban centers in the United States. It is not a national problem. As such, the solution should address specific problem areas with the ancillary benefit of preventing future occurrences. In our view the Consensus Parties/Nextel approach is far too broad and onerous, causing widespread inconvenience and disruption.

On the other hand, the 800 MHz User Coalition Balanced Approach is just that: a rational plan involving notification, communication, cooperation, and mitigation bolstered by best practices and the latest technological solutions. Plus, it would be relatively easy to put into practice. We believe any objective consideration of these proposals will lead to the conclusion that the Balanced Approach has true merit. We urge you to reach this conclusion also.

One aspect of the Consensus proposal warrants special comment. This involves the proposal to freeze all requests of non-public safety users, such as public utilities, for additional bandwidth in the 800 MHz band. This would seriously hamper utility communications by preventing electric utilities and others from upgrading their radio coverage in areas that need improvement namely, Boone County, West Virginia. To say that electric utilities and public service agencies work hand in hand is an extreme understatement. These utilities are real-life first responders and true partners to our public service professionals, to the extent that we have called upon them for assistance when our communications systems have problems. Whatever rules the Commission propounds on this issue, we urge you, at the very least, to avoid any type of freeze on these critical public service systems.

Again, thank you for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry V. Lodato".
Larry V. Lodato, Director

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